

RAC Operation Guidelines

Alternate Dispute Resolution Process

I. Purpose

Regional Advisory Councils should have written into standard operating procedures, bylaws, or other governance documents an alternative dispute resolution (ADR) process, meant to aid in resolution of complex issues among entities/individuals/RAC members that have differences of opinions, so issues are resolved at a local level vs. being resolved initially at the State level.

This document is written as a guideline.

II. Standard of Practice

- A. Any entity, be that provider or individual representing a provider, service or hospital that is aggrieved in connection with any Regional Advisory Council by-laws, trauma system plan, guidelines or protocol; action(s) or in-action(s), or any situation or circumstance causing dissention or aggravation, may formally protest to the Regional Advisory Council of Trauma Service Area. A formal protest should be written, with date and signature of protestor(s), addressed and delivered to the Regional Advisory Council Chair Person.
- B. A formal protest should contain at minimum the following elements:
 - 1. A specific and objective identification or statement of the aggravating situation or circumstance that the protested action is alleged to have been or is in violation
 - 2. A specific and objective description of each act alleged to have violated or aggravated the protestor(s)
 - 3. The aggrieved party's arguments(s) and authorities in support of the protest
 - 4. Describe the relief/decision requested to resolve the matter.
- C. The Regional Advisory Council shall have the authority to resolve disputes. A committee may be established and as such shall keep the Executive Board and general membership apprised of the outcome. The committee structure should have ample and appropriate parties necessary to resolve the dispute.
 - 1. The committee should solicit written responses to the protest from interested parties. If the protest/dispute is not resolved by mutual agreement, the committee should issue a written determination of the protest, within thirty (30) days of receipt of all pertinent data.
 - 2. If the committee determines that no violation of rule(s) in accordance with its by-laws, trauma system plan, guidelines or protocol; action(s) or in-action(s), or any situation or circumstance causing dissention or aggravation has occurred, it shall so inform the protesting party or parties by letter, which sets forth the reasons for the determination.
 - 3. If the board or committee determines that a violation of rule(s) in accordance with its by-laws, trauma system plan, guidelines or protocol; action(s) or in-

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action(s), or any situation or circumstance causing dissension or aggravation has occurred, it shall so inform the protesting party or parties by letter, which sets forth the reasons for the determination and the appropriate remedial actions.

- D. Party or parties may appeal the determination by the committee and ask the issue to be brought before the General Membership of the RAC for a final determination. The appeal should be limited to review of the committee's determination.
1. The party or parties should be given a set number of days following the ruling of the committee to appeal the opinion of the committee, and address the appeal to the RAC Chair.
 2. The appeal must be mailed or delivered by the appealing party or parties to DSHS, Health Care Quality Section, and must contain an affidavit that copies of the appeal have been mailed or delivered by the appealing party or parties to the Chair Person or designated representative(s).
 3. In the event the appeal is not timely in delivery to the Office of Health Care Quality, the appeal will not be considered and the appealing party or parties will be so notified in writing.